

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**JENNIE COURTNEY,
AS ADMINISTRATRIX OF THE
ESTATE OF DENNIS COURTNEY,
DECEASED,**

PLAINTIFF,

v.

ANTHONY CLARK, et al.

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CIVIL ACTION NO.:

2:06-CV-00600-MHT

**(Removed from the Circuit Court of
Covington County, AL; CV-06-110)**

PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO RESPOND

COMES NOW the Plaintiff, Jennie Courtney, as Administratrix of the Estate of Dennis Courtney, and files this Motion requesting an extension of time to file a response in opposition to Defendant Covington County's Motion to Dismiss, and as grounds therefore states:

1. Defendant, Covington County filed a Motion to Dismiss on July 16, 2007.
2. The Motion to Dismiss is currently set for submission, without oral argument, on August 8, 2007, with briefs due by said date.
3. While the undersigned counsel was finishing the Plaintiff's response, a thunderstorm caused a power outage at undersigned counsel's office.
4. Although saved, the document being prepared by undersigned counsel was corrupted such that it cannot be reopened.
5. Undersigned counsel captured the attached screen shot before his computer rebooted. (Exhibit "A").
6. The document cannot be retrieved and will need to be redrafted.

7. Counsel for the Plaintiff cannot redraft the document before the Court's due date.

WHEREFORE Plaintiff, Jennie Courtney as Administratrix of the Estate of Dennis Courtney, respectfully requests that this Honorable Court grant an extension of time in order that Plaintiff's attorney may submit said response.

Respectfully submitted,

/s/ Britt V. Bethea

BRITT V. BETHEA

GREENE & PHILLIPS, L.L.C.

Attorney for Plaintiff, Jennie Courtney

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CERTIFICATE OF SERVICE

I hereby certify that on this the 8th day of August, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Steven K. Herndon, Esq.
Matthew Y. Beam, Esq.
Gidiere, Hinton, Herndon & Christman
P.O. Box 4190
Montgomery, Alabama 36103

Bert P. Taylor, Esq.
Taylor Ritter, P.C.
P.O. Box 489
Orange Beach, Alabama 36561

Alan T. Hargrove, Jr. Esq.
Richard Brett Garrett, Esq.
Rushton, Stakely, Johnston & Garrett
P.O. Box 270
Montgomery, Alabama 36101-0270

and by sending via U.S. Mail, postage prepaid, to the following:

Oscar Roy Doster, AIS # 177168
P.O. Box 150
Mt. Meigs, Alabama 36057

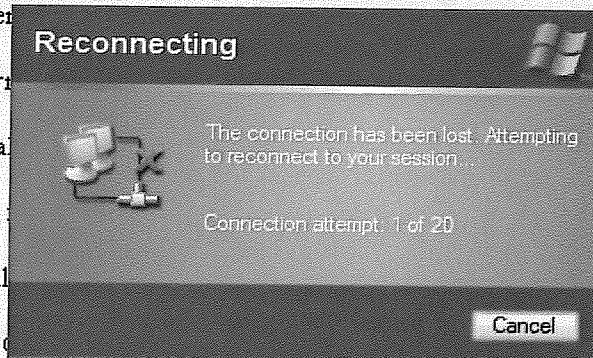
James Darren Harnage, AIS # 239251
P.O. Box 150
Mt. Meigs, Alabama 36057

/s/ Britt V. Bethea
BRITT V. BETHEA

as jail administrator, would then carry the bags of contraband into the jail and articles to Doster. (*Id.*) Doster was respected by the inmate population and had that he should not have been allowed to have. (*Id.*) He used these freedoms to tage. (*Id.*)

ne correctional officers at the Covington County jail knew the histroy of Doster rstood that Doster was a high escape risk. (*Id.*) Before the second escape,

nal Officer er's pattern orrectional y escaped orrectional y did not (*Id.*)



ne Plaintiff filed her Second Amended Complaint on January 11, 2007. (Doc.

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